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Attorneys for Plaintiff
AIG ANNUITY INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AIG ANNUITY INSURANCE COMPANY,

Plaintiff,

v.

DOROTHEA BACON, an individual, by and
through MOLLIE M. MORONEY, as Conservator
of the Person and Estate of DOROTHEA
BACON,

Defendant.

Case No. C-06-4308 PJH

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING MOTION TO
DISMISS AND CASE
MANAGEMENT CONFERENCE**

Honorable Phyllis J. Hamilton

1 This Stipulation is made with reference to the following facts:

2 1. The parties have reached an informal resolution of AIG Annuity Insurance Company's
3 dispute with Mrs. Bacon.

4 2. The parties expect to formalize settlement upon approval by the San Mateo Superior
5 Court, Probate Department, which is set for hearing with that court on December 6, 2006.

6 3. In light of the informal settlement, the parties believe that judicial and party resources
7 would be best served by continuing both the hearing date on Defendant's Motion to Dismiss and the
8 Case Management Conference and preceding Rule 26 obligations.

9 4. Accordingly, the parties, through their respective attorneys of record, stipulate as follows:

10 The hearing on Defendant's Motion to Dismiss Plaintiff AIG Annuity Insurance Company's
11 First Amended Complaint; and Motion to Strike Portions of the First Amended Complaint, currently
12 set for December 6, 2006, may be continued to January 17, 2007 at 9:00 a.m.

13 The parties are mindful that the Court has stated that it will not permit a further continuance
14 of the Case Management Conference. However, in light of the parties' informal settlement, the
15 parties ask to continue the Case Management Conference to January 4, 2007 at 2:30 p.m. to allow the
16 San Mateo Probate Court to approve the settlement in advance of the parties' Rule 26 obligations.

17 Dated: November 9, 2006

18 RENNE SLOAN HOLTZMAN & SAKAI, LLP

19 By /s/ Ingrid Evans

20 Ingrid Evans

21 Attorneys for Defendant

22 Dorothea Bacon, by and through

23 Mollie M. Moroney, as Conservator of the Person and
24 Estate of Dorothea Bacon

25 Dated: November 9, 2006

26 MORRISON & FOERSTER LLP

27 By /s/ Rebecca Kruse

28 Rebecca Kruse

Attorneys for Plaintiff

AIG Annuity Insurance Company

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 "conformed" signature (/s/) within this e-filed document.

3
4 /s/ Rebecca Kruse
5 Rebecca Kruse

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7 * * * * *

8 **ORDER**

9 IT IS SO ORDERED that

10 1. Defendant's Motion to Dismiss Plaintiff AIG Annuity Insurance Company's First
11 Amended Complaint; and Motion to Strike Portions of the First Amended Complaint, set for hearing
12 on December 6, 2006, is continued to January 17, 2007 at 9:00 a.m.

13 2. The Case Management Conference currently scheduled for December 14, 2006 is
14 continued to January 4, 2007 at 2:30 p.m. A joint case management conference statement shall be
15 filed by December 28, 2006.

16 Dated: 11/14/06

17
18 PHYLLIS J. HAMILTON
19 United States District Judge

